

Express Mail No. EV372583202US
Information Disclosure Statement dated March 1, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P. O. Box 1450, Alexandria VA 22313-1450 on

March 1, 2004
March 1, 2004
David P. Josephic R. No. 29,849 Date

Continuation-In-Part of:

Serial No: 10/254,118
Filed: September 25, 2002
Applicant: Ronnie L. Howard et al
Title: ULTRA-HIGH TEMPERATURE PASTEURIZED MILK
CONCENTRATE, PACKAGE, DISPENSER AND METHOD OF
PRODUCING SAME
Art Unit: 1761
Examiner: S. Weinstein
Conf. No: 9580

Cincinnati, Ohio 45202

March 1, 2004

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of candor and good faith which is imposed by Rule 56 (37 C.F.R. §1.56), the art listed on the attached form PTO-1449 is called to the attention of the U.S. Patent and Trademark Office in connection with the above identified patent application. Copies of the cited "foreign" references and "other documents" are attached hereto. No

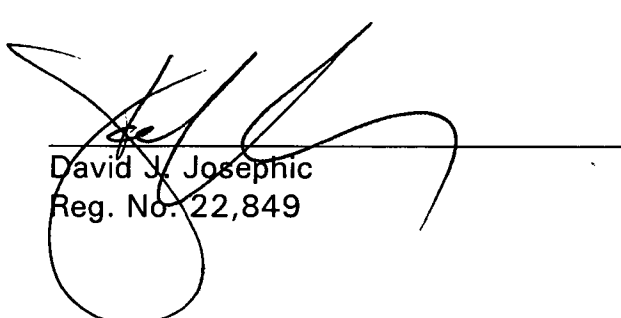
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.R./

representation is made that the cited art is the only art or that the cited art represents the best art.

The Examiner is urged to consider the cited references and to make an independent decision with respect to their materiality.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.



David J. Josephic
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SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. MTECH/11		SERIAL NO. CIP of 10/254,118							
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (37 CFR 1.98(b))				APPLICANT Ronnie L. Howard and Frank D. Lauch									
				FILING DATE March 1, 2004		GROUP unknown							
U.S. PATENT DOCUMENTS													
EXAMINER INITIAL		PATENT NUMBER			ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE				
/D.R./	A.A	2	4	7	3	4	9	3	6/14/49	Herbert E. Otting, et al.	99	55	
	A.B	2	4	9	0	5	9	9	9/11/46	Herbert E. Otting	99	55	
	A.C	2	5	6	5	0	8	5	8/21/51	David D. Peebles	99	55	
	A.D	2	5	7	0	2	3	1	10/9/51	Francis Frederick Hansen	99	55	
	A.E	2	6	6	3	6	4	2	6/26/51	Randall Whitaker, et al.	99	55	
	A.F	2	7	1	2	5	0	4	7/5/55	Wallace H. Coulter	99	212	
	A.G	2	8	2	2	2	7	7	2/4/58	Melvin E. Ellertson, et al.	99	212	
	A.H	2	8	2	7	3	8	1	3/18/58	John M. Boyd	99	184	
	A.I	2	8	4	5	3	5	0	7/29/58	Donald F. Wilcox	99	55	
	A.J	2	8	6	0	0	5	7	11/11/58	Donald F. Wilcox	99	212	
/D.R./	A.K	2	8	8	6	4	5	0	5/12/59	Aubrey P. Stewart, Jr., et al.	99	200	
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS													
		DOCUMENT NUMBER			PUBLICATION DATE		COUNTRY OR PATENT OFFICE		CLASS	SUBCLASS	TRANSLATION (YES/NO)		
/D.R./	A.L	1085224			28 January 1955		FR		4		No		
/D.R./	A.M	1405512			10 September 1975		GB		A23C	9/10	N/A		
/D.R./	A.N	WO 92/21245			10 December 1992		International		A23C 1/00	3/02	N/A		
	A.O												
	A.P												
	A.Q												
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)													
/D.R./	A.R	D. D. Muir, et al., <u>Production and properties of in-can sterilised concentrated milk with 39% solids: seasonal effects</u> , Milchwissenschaft 47 (1) 8-11 1992											
/D.R./	A.S	Tetra Pak, <u>Tetra Therm Aseptic VTIS Direct UHT treatment module - based on steam injection</u> , ©1996 Tetra Pak Processing Systems AB, Lund, Sweden											
/D.R./	A.T	U.S. Dept of Health & Human Services, <u>Grade "A" Pasteurized Milk Ordinance</u> , Public Health Service/FDA Publication No. 229, Section 7, pp. 18-19, 1999 Revision											
EXAMINER /Daniel Robinson/							DATE CONSIDERED 09/05/2008						
EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance <u>and</u> not considered. Include a copy of this form with next communication to applicant.													

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U.S. PATENT DOCUMENTS													
EXAMINER INITIAL		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/D.R./	B.A	3	0	3	1	3	1	5	4/24/62	Abraham Leviton, et al.	99	215	
	B.B	3	0	6	5	0	8	6	11/20/62	Abraham Leviton, et al.	99	212	
	B.C	3	0	7	2	4	9	1	1/8/63	Abraham Leviton, et al.	99	212	
	B.D	3	1	0	8	8	7	5	10/29/63	Raymond W. Bell	99	55	
	B.E	3	1	1	9	7	0	2	1/28/64	Abraham Leviton, et al.	99	212	
	B.F	3	1	6	7	4	3	7	1/26/65	Abraham Leviton, et al.	99	212	
	B.G	4	0	9	1	1	1	8	5/23/78	Olivier de Rham	426	46	
	B.H	4	2	8	2	2	6	2	8/4/81	Jon R. Blake	426	565	
	B.I	4	3	6	2	7	5	6	12/7/82	Alexander W. Williams	426	587	
	B.J	4	7	0	1	3	2	9	10/20/87	Catherine E. Nelson, et al.	426	74	
/D.R./	B.K	4	8	4	2	8	8	4	6/27/89	George N. Bookwalter, et al.	426	585	

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS							
		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	B.L						
	B.M						
	B.N						
	B.O						
	B.P						
	B.Q						

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)		
/D.R./	B.R	Ronnie L. Howard, et al., <u>Ultra-High Temperature Milk Concentrate Package and Method of Producing Same</u> , US 2001/O026825 A1
	B.S	
	B.T	

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Substitute Disclosure Form (PTO-1449)

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(37 CFR 1.98(b)) (Use several sheets if necessary)				FILING DATE March 1, 2004		GROUP unknown	

U.S. PATENT DOCUMENTS														
EXAMINER INITIAL		PATENT NUMBER								ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/D.R./	C.A	4	8	5	1	2	5	0	7/25/89	Herve X. Bronnert	426	511		
↓	C.B	4	9	2	1	7	1	7	5/1/90	Heva m. P. Ranjith	426	587		
	C.C	5	2	2	3	2	9	9	6/29/93	Ernesto Dalan, et al.	426	587		
	C.D	5	2	2	9	1	5	9	7/20/93	Michael Schwan	426	587		
	C.E	5	2	6	0	0	7	9	11/9/93	Karl-Heinz Zettier, et al.	426	231		
	C.F	5	3	5	3	9	6	3	10/11/94	Chris W. Gorski, et al.	222	129.1		
/D.R./	C.G	5	7	6	6	6	6	6	6/16/98	Paul Joseph Streiff, et al.	426	587		
	C.H													
	C.I													
	C.J													
	C.K													

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		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	C.L						
	C.M						
	C.N						
	C.O						
	C.P						
	C.Q						

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)		
	C.R	
	C.S	
	C.T	

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